

June 2, 2004

Ms. Marlene H. Dortch
Secretary
Federal Communications Commission
445 Twelfth Street, SW
Washington, DC 20554

Re: *Amendment of Parts 1, 21, 73, 74 and 101 of the Commission's Rules to Facilitate the Provision of Fixed and Mobile Broadband Access, Educational and other Advanced Services in the 2150-2162 and 2500-2690 MHz Bands* – WT Docket No. 03-66

Review of the Spectrum Sharing Plan Among Non-Geostationary Satellite Orbit Mobile Satellite Service Systems in the 1.6/2.4 GHz Bands – IB Docket No. 02-364

NOTICE OF EX PARTE PRESENTATION

Dear Ms. Dortch:

Earlier today, Todd Rowley of Sprint Corp., Mary McDermott of NTELOS, Inc. and the undersigned, representing the Wireless Communications Association International, Inc. ("WCA") met with Commissioner Kathleen Q. Abernathy and Matthew Brill of her office to discuss issues before the Commission in the referenced proceedings.

The industry participants expressed strong opposition to the adoption of any bandplan in WT Docket No. 03-66 that would create new Multipoint Distribution Service ("MDS") channels to be auctioned by stripping spectrum from existing licensees, many of whom purchased that spectrum at auction. They addressed their existing operations and their plans for future deployments. WCA also noted that a reduction in the bandwidth of channels would have an adverse impact operational impact, particularly in situations where non-synchronized technologies are utilized on adjacent channel groups. WCA and NTELOS also stressed that there are systems in operation today that were utilizing the band in a highly efficient manner and would have to reduce services to the public if spectrum were taken to be auctioned.

WCA also expressed its willingness to explore possible bandplans that would incorporate MDS channels 1 and 2, provided that the 2494-2500 MHz band were reallocated and the

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Commission's technical and operational rules allowed those channels to be used in a full and effective manner and provided that accommodations were made for multichannel video programming distributors that opt-out of the transition to the new bandplan. WCA emphasized that if the bandplan were to extend and were any MDS or Instructional Television Fixed Service ("ITFS") channel to be placed adjacent to the Mobile Satellite Service ("MSS"), the Commission must provide for the same 2 MHz separation between the MSS Ancillary Terrestrial Component ("ATC") that currently exists, must continue to require that ATC operations meet the requirements imposed under Section 25.255 of the Rules, and must impose on the closest MDS/ITFS licensee no restrictions relative to MSS/ATC more restrictive than those under the current rules. Sprint also discussed its support for allowing ITFS licensees to assign their licenses to commercial entities.

Pursuant to Section 1.1206(b)(2), this notice is being filed electronically with the Office of the Secretary for inclusion in the public record of the above-reference proceedings. Should you have any questions regarding this summary, please contact the undersigned.

Respectfully submitted,

/s/ Paul J. Sinderbrand

Paul J. Sinderbrand

Counsel to the Wireless Communications
Association International, Inc.

cc: Matthew Brill